

1 BILL NO. R-87-09-27

2 RESOLUTION NO. R-7087

3 A RESOLUTION approving Declaratory Resolution
4 No. 87-46, as adopted by the Fort Wayne
5 Redevelopment Commission for the
6 Lafayette-Williams Renewal Project.

7 WHEREAS, the Fort Wayne Redevelopment Commission has
8 adopted a Declaratory Resolution designating the Lafayette-Williams
9 Renewal Project area as an urban renewal area; and

10 WHEREAS, Indiana Law, I.C. 36-7-14-16 requires approval of
11 said Resolution by this Common Council.

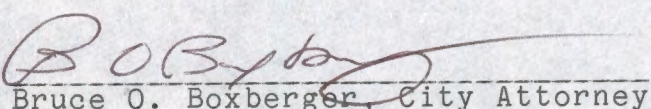
12 NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE
13 CITY OF FORT WAYNE, INDIANA:

14 SECTION 1. That Resolution No. 87-46, Declaratory
15 Resolution, Lafayette-Williams Renewal Project, as adopted by the
16 Fort Wayne Redevelopment Commission on September 14, 1987, and
17 approved by the City Plan Commission on September 28, 1987, pro-
18 viding for conformance to the Master Plan of Development for the
19 City of Fort Wayne, all as more particularly set forth in said
20 Resolution, which is on file in the Office of the Fort Wayne
21 Redevelopment Commission and is attached hereto, as a part hereof,
22 as if fully set out herein, be and the same is hereby in all things
23 ratified, confirmed and approved. Two copies of said Resolution are
24 on file in the Office of the City Clerk and made available for
25 public inspection, according to law.

26 SECTION 2. This Resolution shall be in full force and
27 effect from and after its passage and any and all necessary approval
28 by the Mayor.

29 
30 Councilmember

31 APPROVED AS TO FORM AND LEGALITY.

32 
Bruce O. Boxberger, City Attorney

RESOLUTION 87-46

DECLARATORY RESOLUTION
LAFAYETTE-WILLIAMS RENEWAL PROJECT

WHEREAS, the Fort Wayne Redevelopment Commission has made investigations, studies, and surveys of various blighted, deteriorated, and deteriorating areas within the City of Fort Wayne, Indiana, and of the causes contributing to the blight and deterioration of such areas; and

WHEREAS, such investigations, studies, and surveys have been made in cooperation with the various departments and bodies of said City and have been directed toward determining the proper use of land and improvements thereon so as to best serve the interests of the City and its inhabitants, both from the standpoint of human needs and economic values, and as a result of such investigations, studies, and surveys, the Commission has found that the area heretofore described in the Lafayette-Williams Renewal Plan dated August 1, 1987, consisting of ___ pages and ___ exhibits is blighted, deteriorated, and deteriorating. Specifically, the following described area in the City of Fort Wayne, Indiana, is found and declared to be blighted, deteriorated, and deteriorating to such an extent that such conditions cannot be corrected by regulatory processes or by the ordinary operations of private enterprise, without resort to the provisions of the Redevelopment of Blighted Areas Act of 19 (P.L. 309 and 310 of the Acts of 1981 of the General Assembly of the State of Indiana, as amended and supplemented and which area is bounded and described as follows:

Lots 212, 213, 214, 215, 216, 217, 218, 246, and the North three feet of Lot 247 in Hamilton's Fourth Addition to the City of Fort Wayne, according to the recorded plat thereof

and that the public health and welfare would be benefited by the urban renewal of such area under the provisions of said Act; and

WHEREAS, the Commission has heretofore caused to be prepared maps and plats showing the boundaries of the heretofore and hereinafter described blighted, deteriorated, and deteriorating area, the location of the various parcels of property, streets, alleys, and other features affecting the urban renewal of such area, indicating any parcels of property to be excluded from the acquisition and the portions of the area which are to be devoted to streets, alleys, sewerage, playground, and other public purposes under the Urban Renewal Plan; and

WHEREAS, there was presented to this meeting of the Governing Body of the City of Fort Wayne, Department of Redevelopment, for its consideration and approval, a copy of Urban Renewal Plan for the area comprising the renewal project dated August , 1987, consisting of __ pages and __ exhibits; and

WHEREAS, this Commission has, at a meeting open to the public, heard evidence and reviewed the maps and plats presented at the meeting and has considered same;

NOW, THEREFORE, BE IT RESOLVED by the Fort Wayne Redevelopment Commission that the Urban Renewal Plan for the Lafayette-Williams Renewal Project, dated August 1, 1987, consisting of __ pages and __ exhibits be and the same is hereby approved.

BE IT FURTHER RESOLVED that in all proceedings relating to the urban renewal of the above described area, the same shall be referred to as the Lafayette-Williams Renewal Project.

BE IT FURTHER RESOLVED that the Commission now declares the above described area blighted, deteriorated, and deteriorating and a menace to the social and economic

interest of the City of Fort Wayne and its inhabitants and that the urban renewal of such area shown on the above described maps and plats under the provisions of the Redevelopment of Blighted Areas Act of 1981 (P.L. 309 and 310 of the Acts of 1981 of the General Assembly of the State of Indiana, as amended and supplemented) will be of public utility and benefit, and that the Department of Redevelopment of the City of Fort Wayne has acquired all of such land and interests therein within said boundaries.

BE IT FURTHER RESOLVED that the urban renewal of such area be in accordance with the Urban Renewal Plan for the Lafayette-Williams Renewal Project.

BE IT FURTHER RESOLVED pursuant to Section 36-7-14-39 of the Redevelopment of Blighted Areas Act of 1981, as amended and supplemented, as follows:

- (a) As used in this Resolution for purposes of distribution and allocation of real property taxes, "allocations area" means all of the blighted area included in the description of real estate in this Declaratory Resolution, and "base assessed value" shall have the meaning given it by I.C.

36-7-14-39(a).

- (b) Any real property taxes hereafter levied by or for the benefit of any public body entitled to a distribution of property taxes on taxable real property and the allocation area described within the Declaratory Resolution shall be allocated and distributed as follows:

- (1) Except as otherwise provided in this section, the proceeds of such taxes attributable to the lessor of:
 - (i) the assessed value of such property for the assessment date with respect to which the allocation and distribution is made, or

- (ii) the "base assessed value."
- (2) Except as otherwise provided in this section, property tax proceeds in excess of those described in subdivision (1) shall be allocated to the redevelopment district and, when collected, paid into a special fund for the allocation area that may be used by the redevelopment district only to do one (1) or more of the following:
 - (A) pay the principal of and interest on any obligations payable solely from allocated tax proceeds which are incurred by the redevelopment district for the purpose of financing or refinancing the redevelopment of that allocation area;
 - (B) Establish, augment, or restore the debt service reserve for bonds payable solely or in part from allocated tax proceeds in that allocation area.
 - (C) Pay the principal of and interest on bonds payable from allocated tax proceeds in that allocation area and from the special tax levied under I.C. 36-7-14-27 of this chapter.
 - (D) Pay the principal of and interest on bonds issued by the unit to pay for local public improvements in that allocation area.
 - (E) Pay premiums on the redemption before maturity of bonds payable solely or in part from allocated tax proceeds in that allocation area.
 - (F) Reimburse the unit for expenditures made by it for local public improvements (which include buildings,

parking facilities, and other items described in I.C. 36-7-14-25.1(a)) in that allocation area.

(G) Reimburse the unit for rentals paid by it for a building or parking facility in that allocation area under any lease entered into under I.C. 36-1-10.

(3) When the monies in the allocation fund are sufficient to pay when due all principal and interest on bonds described herein, and is not needed for the other purposes described herein, monies in the allocation fund in excess of that amount shall be paid to the respective taxing units in the manner provided by law.

BE IT FURTHER RESOLVED that a copy of this Resolution, together with said Urban Renewal Plan and supporting data be submitted to the City Plan Commission of Fort Wayne for examination by that body and its determination as to whether this Declaratory Resolution and said Urban Renewal Plan conform to the master plan of the development for said City and for its written order approving or disapproving this Declaratory Resolution and said proposed Urban Renewal Plan.

BE IT FURTHER RESOLVED that if an approving order is issued by said City Plan Commission, that same shall be transmitted to the Common Council of the City of Fort Wayne for its approval.

BE IT FURTHER RESOLVED that upon receipt of the written order of approval of said City Plan Commission and the approval of the Common Council of the City of Fort Wayne a notice shall be published in accordance with the requirements of I.C. 5-3-1, Blighted Areas Act of 1981, fixing a date for the receiving and hearing of remonstrances and objections from persons interested in or affected by the proceedings pertaining to the proposed project and for the

final determination of the public utility and benefit thereof.

ADOPTED at a Special Meeting of the Fort Wayne
Redevelopment Commission held _____, 1987, in the
_____ on the _____ Floor of the
City-County Building, One Main Street, Fort Wayne, Indiana.

FORT WAYNE REDEVELOPMENT COMMISSION

John J. Caffray, President

Dawn Thoma, Secretary

This resolution prepared by and approved as to form and
legality by John J. Wernet, Attorney for the Redevelopment
Commission.

Read the first time in full and on motion by E. Stuck, seconded by Stier, and duly adopted, read the second time by title and referred to the Committee Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ .M., E.S.T.

DATE: 9-22-87 Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by E. Stuck, seconded by Stier, and duly adopted, placed on its passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>8</u>	_____	_____	<u>1</u>	_____
<u>BRADBURY</u>	<u>✓</u>	_____	_____	_____	_____
<u>BURNS</u>	<u>✓</u>	_____	_____	_____	_____
<u>EISBART</u>	<u>✓</u>	_____	_____	_____	_____
<u>GiaQUINTA</u>	_____	_____	_____	<u>✓</u>	_____
<u>HENRY</u>	<u>✓</u>	_____	_____	_____	_____
<u>REDD</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHMIDT</u>	<u>✓</u>	_____	_____	_____	_____
<u>STIER</u>	<u>✓</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>✓</u>	_____	_____	_____	_____

DATE: 10-13-87 Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING MAP) ORDINANCE (RESOLUTION) NO. Q-70-87 on the 13th day of October, 1987.

ATTEST: Sandra E. Kennedy (SEAL) Thomas E. Henry
SANDRA E. KENNEDY, CITY CLERK PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of October, 1987, at the hour of 11:00 o'clock A.M., E.S.T.
Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 15th day of October, 1987, at the hour of 11:00 o'clock A.M., E.S.T.
Win Moses, Jr.
WIN MOSES, JR., MAYOR

BILL NO. R-87-09-27

REPORT OF THE COMMITTEE ON FINANCE

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS
REFERRED AN ~~(ORDINANCE)~~ (RESOLUTION) approving Declaratory

Resolution No. 87-46, as adopted by the Fort Wayne Redevelopment
Commission for the Lafayette-Williams Renewal Project

HAVE HAD SAID ~~(ORDINANCE)~~ (RESOLUTION) UNDER CONSIDERATION AND BEG
LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE)
(RESOLUTION)

YES

NO

BEN A. EISBART
CHAIRMAN

JAMES S. STIER
VICE CHAIRMAN

CHARLES B. REDD

DONALD J. SCHMIDT

SAMUEL J. TALARICO

CONCURRED IN 10-13-87

SANDRA E. KENNEDY
CITY CLERK